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Individuals seeking candidate information and forms must be referred to the Department of Elections' [web site](#). Information for candidates (or potential candidates) is found by navigating or clicking through the "Candidate/PAC Info> Becoming a Candidate" pathway. Staff posts updated candidacy requirement bulletins to the site either in December before the year of election or as soon as possible after the issuance of a special election writ. When contacted by candidates, Staff will promote the distribution of candidate bulletin and forms by email rather than through the traditional "candidate packet" purchase program. The purchase of candidate packets from the Department of

Elections for a \$10.00 prepaid fee (to cover costs) will continue for those prospective candidates who claim not to have internet access. Checks made payable to the Department of Elections should be mailed to the Department, along with the purchaser's name, address, office sought and, if applicable, election district. Packets are processed upon receipt of payment.

If the individual has unanswered questions and is outside the Richmond calling area, please provide the Department's toll-free number: (800) 552-9745.

## **10.1 Forms to be filed by Type of Candidate**

Where forms are filed, filing deadlines and petition requirements vary from office to office. Refer to the appropriate candidate bulletin for details or [§ 24.2-500](#) et seq. A candidate for local office files documents relating to his/her candidacy with her/his general registrar. Special elections are governed by the laws in effect at the time the writ is *issued*. [§ 24.2-101.1](#).

Local city or town municipal office candidates should review their local city or town charter when considering a run for public office. The provisions of the city or town charter may address candidate qualification requirements in addition to those present in Title 24.2. Charters include terms of office, election dates, and provisions for filling of vacancies. If the charter provisions are in conflict with general law (i.e. the Code of Virginia), please contact the city or town attorney for guidance as to which provision prevails. [Current charters](#) are available in the "Laws and Regulations" tab of the Division of Legislative Services' website.

Listed below, by election type, are the qualifying forms and the officer with whom each form is filed.

### **10.1.1 Party Candidates Nominated for Local Offices by Primary**

A candidate must file the following documents with the appropriate political party chair and general registrar no later than the filing deadline set for the primary:

- With the Political Party Chair
  - Declaration of Candidacy
  - Petition of Qualified Voters
  - Receipt indicating payment of filing fee
- With the General Registrar
  - Certificate of Candidate Qualification for Local Offices
  - Statement of Economic Interests, if required for the office sought (neither an incumbent nor an interim appointee, who filed this document in the election

year and is seeking election or reelection to the same office, is required to file it again)

### **10.1.2 Party Candidates Nominated for Local Offices by Other Methods**

The party's nominee for each local office must file the following documents with the general registrar no later than the filing deadline for the general or special election:

- Certificate of Candidate Qualification for Local Offices
- Statement of Economic Interests, if required for the office sought (neither an incumbent nor an interim appointee, who filed this document in the election year and is seeking election or reelection to the same office, is required to file it again)

### **10.1.3 Independent (Non-Party) Candidates for Shared Constitutional Offices**

A candidate must file the following documents with the general registrar of his county or city of residence no later than the filing deadline for the general or special election:

- Declaration of Candidacy
- Petition of Qualified Voters
- Certificate of Candidate Qualification for Local Offices
- Statement of Economic Interests, if required for office sought (neither an incumbent nor an interim appointee, who filed this document in the election year and is seeking election or reelection to the same office, is required to file it again)

### **10.1.4 Independent (Non-party) Candidates for Local Offices**

A candidate must file the following documents with the general registrar no later than the filing deadline for the general or special election:

- Declaration of Candidacy
- Petition of Qualified Voters
- Certificate of Candidate Qualification for Local Offices
- Statement of Economic Interests, if required for office sought (neither an incumbent nor an interim appointee, who filed this document in the election year and is seeking election or reelection to the same office, is required to file it again)

Department of Elections prepares all qualifying forms except for the statement of economic interests. The Secretary of the Commonwealth prepares the statement of economic interests for statewide and local offices. The most current version of the

statement is available either on the [Secretary of the Commonwealth's website](http://www.sos.virginia.gov) or through the navigation pathway (state Home Page>Candidate/PAC Info>Becoming a Candidate) on the Department of Elections' website. However, questions related to the proper completion of the statement must be directed to the Secretary of the Commonwealth's office. Contact information for the Conflict of Interest Director can be found at <https://commonwealth.virginia.gov/about/staff-list/>.

### **10.1.5 Independent (Non-party) Candidates for General Assembly**

A candidate must file the following documents with the general registrar of her/his county or city of residence, the clerk of the appropriate legislative body and Department of Elections no later than the filing deadline for the general or special election:

- With the Department of Elections
  - Certificate of Candidate Qualification – General Assembly
- With the General Registrar
  - Declaration of Candidacy
  - Petition of Qualified Voters
- With the Clerk of the Senate or House (as appropriate for the office sought)
  - Statement of Economic Interests (an incumbent who filed this document in the election year and is seeking reelection to the same office, is not required to file it again)

Questions about the proper completion of the General Assembly statement must be directed to the appropriate clerk's office [Senate Clerk's Office (804) 698-7400 or House Clerk's Office (804) 698-1619].

### **10.1.6 Independent (Non-party) Candidates for U. S. Senate, U. S. House of Representatives and Governor, Lieutenant Governor and Attorney General**

A federal office candidate files the following documents with the Department of Elections only. A statewide office candidate files the following forms with both the Department of Elections and with the Secretary of the Commonwealth's office. Both federal and statewide candidates file the required forms by the appropriate filing deadline for either the general or special election.

- With the Department of Elections
  - Declaration of Candidacy
  - Petition of Qualified Voters
  - Certificate of Candidate Qualification – Member, United States Senate or Member, House of Representatives; or

- Certificate of Candidate Qualification – Governor, Lieutenant Governor and Attorney General
- ① Department of Elections will set up the master petition in VERIS and then forward the petition pages to the appropriate general registrar for verification. The general registrar will add his/her jurisdiction to the master petition in VERIS for each candidate. A locality *must* verify the petition signatures on the pages sent by Department of Elections irrespective of the jurisdictional origins of the petition signer. The Department of Elections will ask for more signatures to be added to the master petition beyond the Code’s required ballot access amount. §§ [24.2-506](#) and [24.2-521](#). Ten percent more than the number needed is the goal for all U.S. Senate, U.S. House and statewide office candidates. When verification is complete, the general registrar returns the petitions to the Department of Elections.
- With the Secretary of the Commonwealth (statewide office candidates ONLY)
  - Statement of Economic Interests (neither an incumbent nor an interim appointee, who filed this document in the election year and is seeking election or reelection to the same office, is required to file it again)

Questions related to the proper completion of the statement must be directed to the Secretary of the Commonwealth’s office. Contact information for the Conflict of Interest Director can be found at <https://commonwealth.virginia.gov/about/staff-list/>.

## 10.2 How to Process Candidate Forms

### 10.2.1 Document Review - Local Offices

When the candidate files documents in person, the general registrar/general registrar’s staff shall review all documents to ascertain that all required forms are included and that each is properly notarized and signed. If there are any deficiencies in the execution of the candidate’s forms, the general registrar/general registrar’s staff must immediately inform the filer so that the individual may properly complete replacement forms.

The general registrar/general registrar’s staff also must review mailed documents for completeness and accuracy and advise the candidate immediately of any deficiencies.

The candidate must file the declaration of candidacy and petitions together. The petitions filed should contain at least as many unverified signatures as are required to qualify for the office (i.e. 125 unverified signatures for an office that requires 125 verified signatures). §§ [24.2-506](#) and [24.2-521](#). The candidate may submit additional petition pages up to, but not beyond, the deadline for the election.

Staff recommends providing the filer with a receipt indicating the filing of, or the failure to file, any required document. *See*, general, special, and primary receipts posted in SharePoint>Forms Warehouse>Ballot Access Candidate Qualification>Receipt for Candidate Filing.

Staff recommends adding the candidate in VERIS after receiving either the candidate's certificate of candidate qualification or declaration and petitions. The candidate's VERIS record will allow for additional tracking of required documents.

### **10.2.2 Turnaround Time**

Declarations and petitions filed with the registrar's office by independent (neither Democrat nor Republican) local office candidates required to be certified by the electoral board must be transmitted to the board within three days of their receipt. Therefore, it is imperative that the general registrar/general registrar's staff process any filings immediately.

Timely processing will provide the local electoral board ample time to notify any candidate who requested to be notified in writing of deficiencies in his/her filings, and to certify qualified candidates to Department of Elections by the required deadline.

Further, it will ensure that Department of Elections receives the candidate information necessary to do the following:

- Verify accuracy of electoral boards' candidate certifications (SBE-505/SBE-612).
- Assemble data needed for candidate processing and ballot designs.
- Provide materials needed by electoral boards for ballot preparation.
- Communicate, as needed, with potential candidates.
- Post a candidate list to Department of Election's website for access by the general public.

### **10.2.3 Processing the Certificate of Candidate Qualification**

In accordance with [Department of Elections Policy 2010-3](#), a candidate's certificate of candidate qualification may not be filed any earlier than January 2<sup>nd</sup> within the election year. The form must be filed by the appropriate filing deadline for the election. The exception to the policy is when a future election's filing deadline falls in the current calendar year. As an example, a special election scheduled for January or February 2015 would have a filing deadline in November/December 2014. §§ [24.2-503](#), [24.2-507\(5\)](#) and [24.2-510\(5\)](#).

Each candidate for local office must file a certificate of candidate qualification.

### 10.2.3.1 Verification of Certificate of Candidate Qualification

Immediately upon receipt of a certificate of candidate qualification, the general registrar/general registrar's staff must verify the following:

- The form is complete, signed and notarized.
- The candidate is registered at the address listed on the form.
- The address is located in the district in which the candidate seeks election.
- The manner in which the candidate has requested the name to be listed on the ballot meets the requirements detailed below.


If the form is properly completed, enter the candidate into VERIS. More comprehensive instructions on entering a candidate are available in the VERIS Election Setup Step by Step. If the name the candidate wants on the ballot complies with the requirements, enter it into the "Ballot Name" field. Enter the ballot name in upper/lower case with proper punctuation. Acknowledge receipt of all forms filed by the candidate in the "Candidate Qualifications" section of the candidate's VERIS record.

### 10.2.3.2 How Name May Appear on the Ballot

- Length
  - The entire name to appear on the ballot must *not* exceed 25 characters, including any punctuation and spaces between names.
- Titles
  - *No* titles [Rev., Dr., Mr., Mrs., etc.] are to be used, either before or following the candidate's name.
  - A woman *must* use her given name, not her husband's, and without a "Mrs." in front of a name (e.g. "Mary L. Jones" and not "Mrs. John W. Jones").
- Criteria
  - First name, initial or familiar form of first name.
  - Middle name, initial or familiar form of middle name.
  - Nickname should be other than form of first or middle name and must appear within quotation marks.
  - Last name.
  - Suffix, if one (Sr. is optional; All other suffixes must be used since they appear on a person's birth certificate and are part of the person's legal name).

If the name the candidate wants on the ballot includes either a first or middle name or suffix that is not shown on his/her registration record in VERIS, the general registrar/general registrar's staff must take the following steps:

- Verify that the first or middle name or suffix missing from the VERIS record is, in fact, part of the candidate's legal name by checking the candidate's voter registration application.

 A nickname can never replace the full name shown on the voter's VERIS record unless the name was changed by order of a court.

- Contact the candidate by telephone or email to advise her/him of the change.
- Add the missing information to the registrant's voter record in VERIS.
- Perform a "Candidate Search" in VERIS. If a candidate record exists from a past election, verify the accuracy of the candidate's voter record and click the "Copy candidate to another election" button. Complete the copy to the current election. If a candidate record does not already exist in VERIS, add the candidate and choose the office the candidate is seeking (which must already exist in VERIS). Enter the receipt and verification of all forms filed by the candidate in VERIS to ensure the candidate is qualified to appear on the ballot.

The following procedures are used if the name does not comply:

- Contact the candidate by telephone or email.
- Explain the deficiency.
- Print the name decided upon above the name entered on form by the candidate. It is recommended that the general registrar/general registrar's staff also initial and date the change.

Here are some examples of deficiencies:

- A request for "Robert L. Jones" when the individual is registered as "Robert Leroy Jones, Jr."
  - Only the "Sr." suffix is optional. All other suffixes must appear on the ballot.
- A request for "Spanky" Smyth when the individual is registered as Thomas Wendell Smyth III.
  - Spanky is a nickname that is not a form of his given name. A candidate must appear on ballot as one of the following:
    - Thomas Wendell Smyth III
    - Thomas W. Smyth III
    - T. Wendell Smyth III
    - T. W. "Tom" Smyth III
    - Thomas W. "Tom" Smyth III
    - Tom W. Smyth III (Tom is a familiar, commonly used, form of Thomas; he can appear on the ballot in this manner without quotation marks)
    - T. W. "Spanky" Smyth III
    - T. W. Smyth III (initials for both the first and middle names may be used only when the initials are also the nickname)



The following example meets the requirement for how a name may appear on the ballot but the name requested is not valid for *this* person:

- A request for “Mary Ann Westmoreland” where the individual is registered as Mary Mitchell Westmoreland under the following scenario:
  - When called by the registrar, the candidate states that Ann is her middle name even though her voter registration reads, “Mary Mitchell.” The candidate’s name must match the name on her voter registration application. Therefore, this candidate may only appear on the ballot as “Mary Mitchell Westmoreland”. Alternatively, the candidate may submit an updated voter registration application to supplement her name to “Mary Ann Mitchell Westmoreland”. Once submitted, the candidate may appear as “Mary Ann Westmoreland”. Female candidates can choose to use both a middle and maiden name/initial if within the 25 alpha character limit or use either the middle or maiden name/initial (e.g. Mary A. M. Westmoreland, Mary Ann Westmoreland or Mary Mitchell Westmoreland).

#### **10.2.3.3 Retention of Forms**

Keep the forms in alphabetical order by office and year in appropriately labeled file folders. These documents must be retained for the period prescribed in the Library of Virginia (LVA) Retention Schedule and destroyed following the instructions therein.

#### **10.2.4 Processing the Statement of Economic Interests**

The statement of economic interests must be filed by the following individuals:

- All candidates for constitutional offices
- Candidates for school board and local governing body in any city and in any county other than Highland
- Candidates for town offices in the following towns:
  - Abingdon, Ashland, Berryville, Big Stone Gap, Blacksburg, Blackstone, Bluefield, Bridgewater, Broadway, Christiansburg, Clifton Forge, Colonial Beach, Culpeper, Dumfries, Farmville, Front Royal, Herndon, Leesburg, Luray, Marion, Orange, Pulaski, Purcellville, Richlands, Rocky Mount, Smithfield, South Boston, South Hill, Strasburg, Tazewell, Vienna, Vinton, Warrenton, Woodstock, and Wytheville
- Note: Candidates for Soil and Water Conservation Director are not required to file this Statement.

In accordance with [Department of Elections Policy 2010-3](#), a candidate’s statement of economic interests form may not be filed any earlier than January 2<sup>nd</sup> within the election year. The form must be filed by the election’s filing deadline. The exception to the policy is when a future election’s filing deadline falls in the current calendar year. For

example, a special election scheduled for January or February 2015 would have a filing deadline in November/December 2014. §§ [24.2-503](#), [24.2-507\(5\)](#) and [24.2-510\(5\)](#).

Candidates for re-election to the same office need not re-file this form if they met the requirement for filing as an elected officeholder in January of the election year. A person who is appointed to fill a vacancy is required to file the statement as a condition to assuming office. The appointee is not required to file another statement of economic interests if he/she becomes a candidate in the special election to fill the vacancy.

These documents must be retained for the period prescribed in the LVA Retention Schedule and destroyed following the instructions therein.

#### **10.2.4.1 Public Inspection**

All candidate filings, including petitions and copies of statement of economic interests forms, without the social security number (or any parts) displayed are open to public inspection and copying for reasonable costs. *See*, GREB 26 (discussing the Virginia Freedom of Information Act).

#### **10.2.5 Verification of Petitions**

A general registrar must check petitions filed by (i) groups seeking to get a referendum authorized by law on the ballot, and (ii) independent (non-party) candidates for all offices in general or special elections.

A general registrar is required to check petitions if so requested by the party chair when the party is nominating its candidate for the General Assembly, constitutional office or local office by a non-primary method of nomination. § [24.2-114\(17\)](#). A general registrar is not required to check primary petitions. The political party has sole authority in designating its primary candidates. § [24.2-527](#). Department of Elections strongly urges non-participation by general registrars in primary petition verification.

The procedures set forth below apply to all candidate petitions:

- [1VAC20-50-20](#) Material Omissions Regulation
- Review of Candidate Petition Pages Checklist
- Review the VERIS Petitions Step-by-Step (Rev 4/1/14)
- How to Number the Pages
- Declaration of Candidacy
- Affidavit
- Circulator
- Number of Signatures
- Certification

For referendum petitions, follow the procedures in Items 10.2.5.1, 10.2.5.2, 10.2.5.3, 10.2.5.4, 10.2.5.5, 10.2.5.6 and 10.2.5.7 only.

#### **10.2.5.1 Review Department of Election’s 1VAC20-50-20/1VAC20-60-20 Material Omissions from candidate/referendum petitions and petition signature qualifications regulations**

The Department of Elections’ Material Omission Regulations identify what does and does not constitute a material omission on a petition and the petition signatures contained therein for the purpose of disallowing the petition or petition signatures. Please review the regulations before proceeding to Section 10.2.5.2. A hyperlink to the each regulation has been included for your convenience. [1 VAC 20-50-20](#) and [1VAC20-60-20](#)

#### **10.2.5.2 Acquire the Review of Candidate/Referendum Petition Pages Checklists from the Department of Election’s SharePoint website**

The Department of Elections’ Review of Candidate/Referendum Petition Pages Checklists walk the petition reviewer through each material and immaterial element in an orderly fashion and will provide great assistance in confirming that petitions and petition signatures are reviewed and accepted accurately by the general registrar or by the general registrar’s staff. The checklists are posted in SharePoint>General Registrar and Electoral Board>Shared Documents>Checklist. Print a corresponding number of petition checklists equal in number to the number of petition pages to review. *See* Exhibits A and B.

#### **10.2.5.3 Review the VERIS Petitions Step-by Step**

The VERIS petition functionality was revised with the April 2014 build. The Petitions Step-by-Step is available through the “VERIS User’s Manual – Step by Steps” hyperlink on the VERIS home page. A brief training video on the new petition functionality is also available through the “GR Downloads and Information>VERIS Training” hyperlink also on the VERIS home page. The video is labeled “Petition Tracking”. Please review both documents before using the new VERIS petition functionality.

### 10.2.5.4 How to Number the Pages

In order to expedite verification, the receiving registration office should implement the following procedure when any candidate files a declaration of candidacy and petitions:

- Number the front of first page 1-A.

<b>1-A</b>		<b>COMMONWEALTH OF VIRGINIA PETITION OF QUALIFIED VOTERS</b>
<u>Jonathan Q. Independent</u> <small>ENTER ABOVE, NAME OF CANDIDATE [SHOULD BE AS IT IS TO APPEAR ON BALLOT]</small>	<small>[Must be filed with Declaration of Candidacy]</small>	
<u>2211 Quiet Place</u> <small>ENTER ABOVE, RESIDENCE ADDRESS OF CANDIDATE</small>	When an election district includes more than one county or city, it is suggested that you use a <u>separate</u> petition form for qualified voters in each county or city to facilitate the processing of the filing.	
<u>Somewhere VA</u> <span style="float: right;"><u>22193</u></span> <small>ENTER ABOVE, CITY/TOWN <span style="float: right;">ZIP</span></small>	<u>For a statewide office</u> It is suggested that you file petitions in county/city order to facilitate the processing of the filing. If you track the number of signatures by congressional district, enter district no.: ____ [optional].	
<u>Member, House of Delegates</u> <span style="float: right;"><u>86<sup>th</sup> District</u></span> <small>ENTER ABOVE, OFFICE SOUGHT <span style="float: right;">ENTER ABOVE, DISTRICT, IF APPLICABLE</span></small>		

- Number the back of first page 1-B.

<b>1-B</b>				
<small>CONTINUED FROM REVERSE SIDE CANDIDATE NAME: <u>Jonathan Q. Independent</u> OFFICE SOUGHT: <u>HOUSE OF DELEGATES, 86<sup>TH</sup> DISTRICT</u></small>				
<b>CIRCULATOR:</b> MUST SWEAR OR AFFIRM IN THE AFFIDAVIT BELOW THAT S/HE IS A LEGAL RESIDENT OF THE UNITED STATES OF AMERICA, NOT A MINOR NOR A FELON WHOSE VOTING RIGHTS HAVE NOT BEEN RESTORED AND THAT S/HE PERSONALLY WITNESSED EACH SIGNATURE.				
<b>SIGNER:</b> YOUR SIGNATURE ON THIS PETITION MUST BE YOUR OWN AND DOES NOT SIGNIFY INTENT TO VOTE FOR THE CANDIDATE. YOU MAY SIGN PETITIONS FOR MORE THAN ONE CANDIDATE.				
OFFICE USE ONLY	<b>SIGNATURE OF REGISTERED VOTER</b> <small>[PRINT NAME IN SPACE BELOW SIGNATURE]</small>	<b>POST OFFICE BOXES ARE NOT ACCEPTABLE RESIDENT ADDRESS</b> <small>House Number. and Street Name or Rural Route and Box Number and City/Town</small>	<b>DATE SIGNED[ Must be after January 1 of election year]</b>	<b>*SEE NOTE BELOW LAST 4 DIGITS OF SOCIAL SECURITY NUMBER</b> <small>[OPTIONAL]</small>

- Number the remaining pages sequentially in a like manner.
- Make copies of the petitions with the social security column completely covered or obscured.
- Create the master petition in VERIS for local office candidates.
- For General Assembly candidates, contact the Election Services Division so staff can enter the master petition in VERIS.
- Fax General Assembly petition pages for other cities or counties in the district immediately to *all* other registration offices in the district. Include with the faxed

documents the name of the contact person for the campaign, the phone number for the contact person, the date the petitions were filed, and the number of petition pages filed so the other jurisdictions may add themselves to the candidate's master petition.

#### **10.2.5.5 Declaration of Candidacy**

Verify that the candidate is a qualified registered voter, or if the books are closed, that the registration application or change of address/transfer application is on file with your office for processing once the books reopen. If the declaration of candidacy is witnessed rather than notarized, verify that the two witnesses are also qualified registered voters. If not, the candidate must file a new declaration in order to file his/her petitions. If the office does not require petitions and the declaration is found to be deficient in any way, the replacement declaration must be filed prior to the filing deadline. *See* GREB 10.2.5.9 for the explanation of "registered" ("R").

#### **10.2.5.6 Affidavit on Candidate Petition**

If the affidavit on the reverse side of the petition page is not notarized, then the signatures on that page cannot be counted. If the affidavit is complete and notarized, continue to Section 10.2.5.8. If the affidavit is incomplete or not signed by the circulator but it has been notarized, the petition page may not be processed as set forth in [1VAC20-50-20](#) Department of Election's Material omissions from candidate petitions and petition signature qualifications regulation. Candidates will be penalized for the failure of the notary to include/affix his/her registration number, commission expiration date or photographically reproducible seal. [§ 55-118.5](#). Notaries who fail to properly execute their duties should be reported to the Secretary of the Commonwealth.

- ❗ If a notary error is found prior to the conclusion of the filing period, the petition page may be returned to the candidate so that the error may be corrected or so that the page can be re-notarized properly. The replacement notarization may only be performed over-top of the original notarization. A candidate always retains the right to abandon returned erroneous petition pages for new/replacement pages as long as the filing deadline is still open. All corrected petitions must be re-filed before the appropriate candidate filing deadline. A receipt itemizing the number of pages being returned to the candidate/campaign should be kept in the candidate's file.

#### **10.2.5.7 Affidavit on Referendum Petition**

If the affidavit on the reverse side of the referendum petition page is not notarized, then the signatures on that page cannot be counted. If the affidavit is complete and notarized, continue to Section 10.2.5.8. If the affidavit is incomplete or not signed by the circulator but it has been notarized, the petition page may not be processed as set forth in [1VAC20-](#)

[60-20](#) Department of Election's regulation on material omissions on referendum petitions. Referendum petition circulators will be penalized for the failure of the notary to include/affix his/her registration number, commission expiration date or photographically reproducible seal. [§ 55-118.5](#). Notaries who fail to properly execute their duties should be reported to the Secretary of the Commonwealth.

- ① The different filing procedures for referendum petitions versus candidate petitions may not make the ability to return improperly notarized referendum petitions as straight forward as candidate petitions. Referendum petitions given by the circuit court for verification cannot be returned to the candidate. Referendum petitions reviewed in the general registrar's office prior to filing with the circuit court can be corrected in the manner described in Section 10.2.5.6.

#### **10.2.5.8 Circulator**

Under current law, petitions can be circulated within Virginia by any person legally resident in the United States who is neither a minor nor a felon whose rights have not been restored. See 1 VAC 20-50-20. Virginia statute imposes a further requirement of Virginia that cannot be enforced under the U.S. 4<sup>th</sup> Circuit Court's ruling in Libertarian Party v Judd, et al., A persons with a felony conviction may not circulate petition for Virginia elections until he has his voting rights restored. The court's ruling makes unenforceable the statutory requirement that in [§ 24.2-506](#) that the circulator be a legal residents of the Commonwealth.

A circulator who signs the affidavit claiming to be a legal resident of the United States, a non-minor and a non-felon will be taken at his/her word subject to the false statement penalty of [§ 24.2-1016](#). Indicate to the left of the circulator's name in the circulator's affidavit with either an "E" for eligible or an "NE" for not eligible the status of each circulator. Petition pages with eligible circulators can be process. Set aside those pages with ineligible circulators.

- E      ELIGIBLE: For a person who is a legal resident of the United States of America and not a minor or a felon whose voting rights which have not been restored.
- NE     NOT ELIGIBLE: For a person who is not a legal resident of the United States of America and/or a minor and/or a felon.

For a statewide or congressional office, the Department of Elections will determine the circulator's eligibility before forwarding the petitions to the general registrars for verification.

- ① Note: Congressional candidates do not need to reside within their district (only the state) to run for office and are permitted to circulate their own petitions.

### 10.2.5.9 Verification of Signatures

Once the circulator is determined to be eligible, the names of all other persons on that page are then checked.

The implementation of the new VERIS petition functionality has reshuffled the signature abbreviations most general registrars are accustomed to using. The new functionality may also necessitate the use of multiple abbreviations. As each name is checked in VERIS, indicate in the left margin beside the line number for the signer one or, if necessary, two of the following alpha character abbreviations, as appropriate.

Primary Abbreviations:

R REGISTERED: A person registered in your county or city or, if applicable, in the election district for which the petition was circulated. The address provided on the petition matches the registrant's address in VERIS or is an address within the same precinct where the registrant is registered. For the purpose of petition verification in VERIS, accept the registrant at her/his former address. Issue the voter a confirmation notice (see "CNI" abbreviation below). § [24.2-428.1](#).

- The person who signs a candidate's petition must be a registered voter in either "Active" or "Inactive" status<sup>1</sup> at the time the petition was filed by the candidate. If applicable, issue the inactive voter a confirmation notice (see "CNI" abbreviation below). § [24.2-428.1](#).
- A person who signs a petition for a referendum must be a registered voter both at the time the petition was signed (see DATE SIGNED column on petition) and at the time the petition is validated by the registrar. § [24.2-684.1](#)(7). Please remember to check each voter's history to ensure the voter was registered at the time they signed the petition before accepting their signature to the referendum's master petition.
- If the address provided by the petition signer is different from the address on record but the general registrar has sufficient information to determine that this signature is valid for the office for which the petition is circulated, the registrar may count it. As confirmed with the Attorney General's office, the decision is the registrar's to make. However, consultation with your county/city attorney is strongly recommended before proceeding with this permission.


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<sup>1</sup> Updated 7/1/2013

- RNQ REGISTERED - NOT [A] QUALIFIED [SIGNATURE]: A person who is registered at the address shown on the petition but the address is in another election district, a person who registered after the date on which the candidate filed the petition, a person who is registered within the referendum election district but was not registered when s/he signed the referendum petition, a person who is registered in the election district and signs the same petition more than once, a person who signs a petition and is registered in the election district but did not provide a “Date Signed” that can be corroborated in the appropriate signature timeframe or a person who is registered but is also the petition’s circulator.
- CI CANNOT IDENTIFY: A person who cannot be identified as a registered voter or there is more than one registered voter with the same name and none are at the address shown on the petition.
- IL ILLEGIBLE: A person who wrote on the candidate’s petition page but all the text written by the person is illegible.

Secondary Abbreviations:

- CNI CONFIRMATION NOTICE ISSUED: A person who provides an address on the petition that is outside of his/her precinct of former registration or a person who provides an address on the petition that is different than his/her voter record but within the same precinct as where s/he is registered. The registrar must initiate a confirmation mailing. Most of these voters will be marked for “Research” within the VERIS petition functionality. § [24.2-428.1](#).

 Note: When a registered voter is marked as “Research” by another locality’s general registrar/general registrar’s staff, the locality marking the voter for “Research” must send sufficient information to the impacted locality’s general registrar so that the confirmation process can be completed. A VERIS screen shot of the voter’s current voter record and a copy of the actual petition signature line containing the voter’s perceived new address will go a long way in helping the impacted general registrar/general registrar’s staff in completing the confirmation procedures. Department of Elections will attempt to bolster improved utility with the “Research” functionality in future VERIS builds.

- DUP DUPLICATE: A duplicate name already counted due to its appearance on a previous page of the candidate's petition.




#### 10.2.5.10 Number of Signatures Required

When the number of names marked with "R" equals the number required, no further names need to be checked. Staff recommends verifying signatures equal to at least 10% beyond the number required for verification in order to ensure an adequate number of verified signatures in case of an appeal.

VERIS will permit a local user to shift the status of a local master petition to "Certified" only after the Code's minimum numbers of signatures have been added to the master petition (e.g. 125 signatures for most local offices). The local VERIS user must shift the status of a local candidate's master petition to "Certified" before being allowed to shift the status of the local candidate's record to "Qualified". If the registrar finds that he made an error and needs to remove one or more accepted signatures, the registrar must go back into VERIS and return the local master petition to "In Process". This action should also facilitate a return of the candidate's record to "In Process". Once the error is addressed, the local master petition must be returned to "Certified" or "Rejected" and the candidate's record returned to "Qualified" or "Disqualified" as applicable to the outcome of the review.

The number of registered voters as of January 1<sup>st</sup> is used for all signature requirements that are based on the number of registered voters in any county, city, town, district, or ward. [§§ 24.2-506, 24.2-521](#).

 Note: In a redistricting year, the signature requirement is based on the number of registered voters in any county, city, town, district or ward at the time the legislation or ordinance is adopted (~~pending preclearance, if applicable~~).<sup>2</sup>

The number of signatures required for candidates for Senate of Virginia is two hundred fifty (250). Only one hundred twenty-five (125) signatures are required for candidates for House of Delegates of Virginia.

One hundred twenty-five (125) signatures are required for most candidates for local office. There are a few exceptions to this rule:

- For membership on a local governing body or the school board of a county or city from an election district not at large containing 1,000 or fewer registered voters, fifty (50) signatures are required.
- For Richmond City Mayor, five hundred (500) signatures with a minimum of fifty (50) signatures from each of the city's nine council districts are required.

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<sup>2</sup> On June 25, 2013, the U.S. Supreme Court held invalid Section 4 of the Voting Rights Act that outlines the formula for determining what jurisdictions are covered under the Section 5 Preclearance processes. This ruling makes Section 5 dormant until such time as Congress enacts another formula for coverage that is consistent with the Constitution. The practical effect is that it is no longer necessary to preclear changes affecting voting with the Department of Justice.

- For membership on a local governing body or the school board from a ward or other district not at large in a town which has more than 1,500 registered voters, twenty-five (25) signatures are required.
- For membership on a local governing body or the school board of a town that has 1,500 or fewer registered voters, *no* petition is required.
- Regardless of the size of the district, candidates for Soil and Water Conservation District Director are only required to obtain 25 signatures.

[Requirements](#) differ as to the number of signatures needed for the various referenda authorized by law. Call the Department of Elections for information as to the specific number required.

## **10.3 Required Communications**

### **10.3.1 General Registrar Certification to Political Party Chair**

A political party chair may request that the general registrar verify the petitions filed by a non-primary candidate seeking the party's nomination. [§ 24.2-114\(17\)](#).

If so requested, the general registrar must check these forms and return them to the political party chair as quickly as possible. Include the number of signatures of registered voters that appear on the petitions when the forms are returned. To accomplish the petition verification for local offices in VERIS, create a candidate, create a master petition, and associate your locality to the master petition. For a General Assembly candidate, contact Department of Elections so that staff can create the candidate record and the master petition.

### **10.3.2 General Registrar Certification to Local Electoral Board**

The general registrar must check the declaration of candidacy and petitions, if required, of all independent (non-party) candidates for offices to be certified by the local electoral board. Within three days of receipt, the general registrar must transmit these documents to the electoral board together with the certification of the registration status of the candidate, the completeness of the declaration of candidacy and either (i) that the petitions contained the required number of signatures of qualified voters for the office sought or (ii) that the petitions did not contain a sufficient number of signatures of qualified voters. When insufficient signatures are found for a candidate, include the deficient number found.

The general registrar certifies the signatures of registered voters that appear on petitions of independent (non-party) candidates for the following offices:

- Clerk of Court, when not shared with another county or city
- Commonwealth's Attorney, when not shared with another county or city
- Sheriff, when not shared with another county or city
- Commissioner of Revenue
- Treasurer, when not shared with another county or city
- Soil and Water Conservation Director
- Chairman or Member, Board of Supervisors or County Board
- Chairman or Member, School Board
- Mayor, City or Town
- Member, City or Town Council

### **10.3.3 General Registrar to other General Registrars**

When a non-party candidate for the General Assembly files, contact a member of the Election Services Division and request the creation of a master petition for the candidate. Within three days of receipt, the general registrar must transmit copies of these documents to the general registrar of each county and city in the Senate or House district. For special elections for such offices called by the Governor, the President Pro Tempore of the Senate or the Speaker of the House of Delegates, copies must be faxed immediately after the filing deadline for the office. Include with the transmitted information the name of the contact person for the campaign, the phone number for the contact person, the number of petition pages filed and the date filed so the other jurisdictions may add themselves to the master petition.

### **10.3.4 General Registrar Certification to Department of Elections**

The general registrar must formally acknowledge to the Department of Elections the number of registered voters in the county or city which appear on petitions for independent candidates for these offices:

- President and Vice President
- United States Senate
- United States House of Representatives
- Governor, Lieutenant Governor and Attorney General
- Senate of Virginia
- House of Delegates
- Constitutional Offices shared by one or more counties and/or cities

The signature totals recorded by VERIS are used for all offices. No separate certification is required.

If requested in writing by a candidate for the General Assembly or a shared constitutional office, the general registrar or secretary of a local electoral board should notify the candidate of any deficiencies in the declaration of candidacy and petitions that can be corrected prior to the filing deadline. If so requested, the general registrar may advise the candidate as to the number of valid signatures identified on his petitions. Otherwise, neither the general registrar nor the local electoral board is to initiate any contact with any candidate for these offices concerning the validity of their petitions. Department of Elections will communicate with the candidate.

### **10.3.5 Local Electoral Board Notification to Candidate of Deficiencies**

For the local offices set forth in Section 10.3.4, there are certain situations that may require the local electoral board to communicate with the prospective candidate.

When requested by a candidate who files prior to the filing deadline, the local electoral board must send notification of any deficiencies or discrepancies in the candidate's declaration of candidacy or petitions that can be corrected prior to the filing deadline.

After the filing deadline, whenever a candidate must be disqualified because of deficiencies in the candidate's declaration of candidacy or petitions, the local electoral board must notify the candidate of the disqualification in writing. **Note:** Read Sections 10.3.6 and 10.3.7 before sending the notice of disqualification.

When the disqualification is a result of insufficient signatures on the candidate's petitions, the electoral board must enclose copies of the petitions without the last four digits of the social security numbers. The copies will show the candidate by the lettering present the determination rendered for each signature. Include in the letter an explanation of what each petition abbreviation stands for (e.g. "R" registered voter or "CI" could not identify) and the candidate's "All Petition Signatures" VERIS report (see the VERIS Petition Step by Step for more details on generating the "All Petition Signatures" report).

### **10.3.6 Appeal to Deficiencies in Petition Signatures**

The General Assembly passed legislation granting a nonparty candidate the right to appeal a local electoral board's determination of deficiencies with his/her petitions<sup>3</sup>. The Department of Elections subsequently adopted a regulation outlining the appeals process. 1VAC20-50-30. A hyperlink to the regulation has been included for your convenience. [1VAC20-50-30](#).

The electoral board does not need to solicit participation when it sends its disqualification notice. However, acknowledgement that the appeal exists is recommended. Some other highlights about the regulation are listed below.

- Electronic mail will be the preferred method of notifying the candidate if such

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<sup>3</sup> Updated 7/1/2013

address has been provided by the candidate; otherwise, notice shall be sent by first-class mail.

- A local office candidate must file his appeal within five calendar days of the issuance of the notice of disqualification.
- The appeal is filed with his local electoral board. Candidates for shared constitutional offices file the appeal with the board that originally checked the signatures on the petition (this may require filing an appeal in more than one locality).
- The candidate bears the burden of proof in establishing sufficient evidence to overturn a disqualification decision.
- The scope of the appeal is solely on his invalidated petition signatures. The candidate is not permitted to expand the appeal beyond the adjudication of invalid signatures.
- The outcome of the appeal is final and not subject to further challenge.

### 10.3.7 Proposed Schedules to Follow for Certain Appeal Scenarios

Scheduling will be critical in ensuring that the appeal ends promptly. Absentee ballot preparation cannot be finalized until all appeals have concluded. Examples of proposed appeal schedules are covered in this section. If legal questions arise from the appeal, the electoral board must consult its county/city attorney. If procedural appeal questions arise, please contact the Department of Elections.

An appeal may not begin until a decision is rendered in a nonparty candidate's petition signatures. Section [24.2-505\(C\)](#) sets the completion of petition verification within three days after receipt of a nonparty candidate's declaration and petitions. Strict adherence to this Section will serve in situations with truncated ballot preparation schedules. Further, issuance of communication or notice via facsimile or electronic mail, if permissible, should be used whenever possible in truncated situations.

Several proposed appeal schedules are provided for review. The two tables with a (★) symbol in the header present extremely narrow scheduling windows when viewed in conjunction with absentee ballot preparation. In those situations, electoral boards should use every opportunity to expedite the appeal's schedule.

Proposed Appeal Schedule for the November 2014 Special Election for Candidates with an August 15, 2014 Filing Deadline		
Date(s)	Code Section	Action
5 p.m., 8/15/2014	§ <a href="#">24.2-507(3i)</a>	Nonparty candidate files declaration and petitions.
8/18 - 22/2014	§ <a href="#">24.2-505(C)</a>	Petition verification concludes and electoral board issues written notice of disqualification.
8/18 - 27/2014	<a href="#">1VAC20-50-30</a>	Disqualified candidate files an appeal within 7 days of the issuance of disqualification notice.
8/18 - 28/2014	<a href="#">1VAC20-50-30</a>	Electoral board issues notice on date, time and place of appeal hearing to the disqualified candidate. Electronic mail is preferred method of

		notice. If unavailable, First Class USPS mail is required.
8/19 – 29/2014	<a href="#">1VAC20-50-30</a>	Appeal is heard. If the outcome makes the candidate “Qualified”, mark as such in VERIS and alert the Department of Elections via email.
9/19/2014	§ <a href="#">24.2-612</a>	Absentee voting for the 11/4/14 general election must begin.

★ Proposed Appeal Schedule for the November 2014 General Election for Candidates with a September 5, 2014 Filing Deadline (filing re-opened due to withdrawal of a political party candidate per §§ <a href="#">24.2-539</a> , <a href="#">24.2-540</a> and <a href="#">24.2-541</a> )		
Date(s)	Code Section	Action
5 p.m., 9/5/2014	§ <a href="#">24.2-541</a>	Nonparty candidate files declaration and petitions.
9/8 -10/2014	§ <a href="#">24.2-505(C)</a>	Petition verification concludes and electoral board issues written notice of disqualification.
9/8 - 17/2014	<a href="#">1VAC20-50-30</a>	Disqualified candidate files an appeal within 7 days of the issuance of disqualification notice.
9/8 - 18/2014	<a href="#">1VAC20-50-30</a>	Electoral board issues notice on date, time and place of appeal hearing to the disqualified candidate. Electronic mail is preferred method of notice. If unavailable, First Class USPS mail is required
9/9 - 19/2014	<a href="#">1VAC20-50-30</a>	Appeal is heard. If the outcome makes the candidate “Qualified”, mark as such in VERIS and alert the Department of Elections via email.
9/19/2014	§ <a href="#">24.2-612</a>	Absentee voting for the 11/4/14 general election must begin.

★ Proposed Appeal Schedule for the May 5, 2015 General Election		
Date(s)	Code Section	Action
7 p.m., 3/3/2015	§ <a href="#">24.2-507(2)</a>	Nonparty candidate files declaration and petitions
3/4-9/2015	§ <a href="#">24.2-505(C)</a>	Petition verification concludes and electoral board issues written notice of disqualification
3/4 - 16/2015	<a href="#">1VAC20-50-30</a>	Disqualified candidate files an appeal within 7 days of the issuance of disqualification notice
3/4 - 17/2015	<a href="#">1VAC20-50-30</a>	Electoral board issues notice on date, time and place of appeal hearing to the disqualified candidate. Electronic mail is preferred method of notice. If unavailable, First Class USPS mail is required
3/5 – 18/2015	<a href="#">1VAC20-50-30</a>	Appeal is heard. If the outcome makes the candidate “Qualified”, mark as such in VERIS and alert the Department of Elections via email.
3/20/2015	§ <a href="#">24.2-612</a>	Absentee voting for the 5/5/15 general election must begin.

Proposed Appeal Schedule for the November 2015 General Election		
Date(s)	Code Section	Action
7 p.m., 6/9/2015	§ <a href="#">24.2-507(1)</a>	Nonparty candidate files declaration and petitions
6/10- 15/2015	§ <a href="#">24.2-505(C)</a>	Petition verification concludes and electoral board issues written notice of disqualification
6/10 - 22/2015	<a href="#">1VAC20-50-30</a>	Disqualified candidate files an appeal within 7 days of the issuance of disqualification notice
6/10 - 23/2015	<a href="#">1VAC20-50-30</a>	Electoral board issues notice on date, time and place of appeal hearing to the disqualified candidate. Electronic mail is preferred method of notice. If unavailable, First Class USPS mail is required
6/11 – 24/2015	<a href="#">1VAC20-50-30</a>	Appeal is heard. If the outcome makes the candidate “Qualified”, mark as such in VERIS and alert the Department of Elections via email.
9/18/2015	§ <a href="#">24.2-612</a>	Absentee voting for the 11/3/15 general election must begin.

### 10.3.8 Local Electoral Board Certification to Department of Elections

Shortly before the filing deadline for any local office, the Department of Elections will either post to the SharePoint website or send via email the combined certification form required to certify candidates for each office on the ballot for the election.

Immediately after any filing deadline and the conclusion of any petition signature appeals, the general registrar and secretary of the electoral board must certify to the Department of Elections, on these forms, all qualified candidates. Forms may be faxed or emailed to (804) 371-0194, [matt.abell@elections.virginia.gov](mailto:matt.abell@elections.virginia.gov), [pamela.blount@elections.virginia.gov](mailto:pamela.blount@elections.virginia.gov) or [info@elections.virginia.gov](mailto:info@elections.virginia.gov).

The names of any disqualified candidates with the reason for the disqualification must also be entered in the space provided on the prescribed form. The electoral board must *not* disqualify any candidate for failure to file either the certificate of candidate qualification or, if required, the statement of economic interests. *See below*, GREB 10.3.9.

### 10.3.9 Department of Elections Verification of Candidates for Local Offices

Staff will review the electoral board's certification of qualified local office candidates. If any local candidate has failed to file either a certificate of candidate qualification or a required statement of economic interests, Staff must notify the candidate of this deficiency and provide ten days in which the missing form(s) may be filed. In lieu of this formal process, Staff may empower the general registrar to contact the candidate about

the deficiency and granted extension. It is recommended to truncate the extension to 24 - 48 hours after notice to avoid disqualification.

### **10.3.10 Department of Elections Certification to Locality**

The Department of Elections will certify to each electoral board the names of all candidates for all offices and the order in which they are to appear on the ballot once all local certification efforts are completed.

## **10.4 Certification of Local Referenda**

An individual or group seeking to place a referendum on the ballot may do so only by following all codified procedures relevant to the issue.

First, an individual, who is a qualified voter of the county, city or town, representing either a group or acting alone, must file a copy of the petition form to be used that includes the question as it is to appear on the ballot with the clerk of circuit court. The individual must also file a statement that contains his/her name, address and the group he/she represents (if any). These documents cannot be filed earlier than the effective date of the law authorizing the referendum for which the petition is to be circulated. The clerk must certify to the filer, within ten days, that the petition copy and statement have been received and accepted.

The individual then circulates the petitions and files them with the clerk within nine months of the clerk's certification. All signatures on the petitions must be dated on or after the date of the clerk's certification.

In addition, petitioners should be aware that any court order for a referendum must be entered at least eighty-one days before the date of the election and the court must provide the general registrar sufficient time for verifying the petitions before an order can be entered. Petitions circulated for the referendum on direct election of school board members must be filed with the court at least 111 days before the date of the general election at which this special election would be held. § [22.1-57.2](#).

Persons who sign any referendum petition must be registered voters in the jurisdiction for which the petition is circulated *both* at the time they signed the petition and at the time the registrar validates the signatures. As discussed above in relation to candidate petitions, petitions for Virginia elections may be circulated by a person legally resident in the United States who is neither a minor nor a person with a felony conviction whose voting rights have not been restored. The circulator must witness the signature of each person who signs the page and must sign an affidavit to that effect on both pages of the petition.



The general registrar may be asked to check petitions by the clerk after they have been filed or by the individual(s)/group(s) circulating the petitions before they are filed with the court. In either case, the general registrar must number the petition pages consecutively in the same manner as candidate petitions, and place his/her initials below each page number. The referendum must be added to an election in VERIS before a master petition for the referendum can be started.

The general registrar must check the petitions as quickly as possible and return them to the individual(s)/group(s) or clerk as appropriate. Further, the general registrar must provide a written certification of the number of signatures of registered voters that appear on the petitions to the individual(s)/group(s) or clerk, as appropriate.

Persons seeking any information concerning referenda to be placed on the ballot are to be directed to the Department of Election's website (<http://elections.virginia.gov/index.php/election-law/place-issue-on-ballot/>) or provided Department of Election's toll-free number (800) 552-9745.

## 10.5 Candidate Management

If a candidate record does not already exist in VERIS, the general registrar should enter the record within 24 hours after the receipt of the candidate's certificate of candidate qualification. Before entering the record, the general registrar should resolve any discrepancies in the manner in which the candidate's name is to appear on the ballot.

Enter the candidate's name in the manner that it will appear on the ballot in the "Ballot Name" field. The "Ballot Name" entered will appear on the Department of Elections' candidate certifications and on its candidate lists posted to the public website. Use mixed case (i.e., upper and lower case) when entering the candidate's ballot name and include all required punctuation, e.g., John P. "Joe" Dixon, Jr. Department of Elections staff time wasted asking for corrections to improperly entered ballot names will delay candidate certification distribution. Please take care to enter the ballot name properly the first time.

Use the "Status" field on the "Candidate Maintain" page to indicate whether the candidate is "In Process" (not yet qualified but in the process of trying to qualify), "Qualified" (qualified for the ballot), "Not Qualified" (failed to qualify for the ballot), "Unopposed" (not challenged in a Primary), "Deceased," "Deleted," or "Withdrawn."

The "Unopposed" status must only be used for uncontested primary candidates. The selection of the "Unopposed" status triggers VERIS to remove the office associated to the election from all pre and post primary election functionality and from primary reports. Once the primary candidate certification process ends, use the "Copy candidate to another election" functionality to create a November candidate record from the "Unopposed" June candidate record. The status of the November candidate record is "Qualified." All unopposed primary election offices will eventually be removed from the

primary election in VERIS. The removal process hides all primary candidate records associated to the office. Therefore, it is important to copy unopposed primary candidates to the November election before the primary office is removed.

Whenever a candidate's name remains on the ballot because the candidate died or withdrew after the ballots were printed, the status field must continue to display "Qualified." This will ensure that the candidate's name appears on the election results screen to allow entry of the votes cast for the withdrawn candidate.

Use the check boxes in the "Candidate Qualifications" section of the page to indicate when each form is filed. Do not select "Qualified" as the candidate's status until all of the legal requirements for ballot access are met. It is imperative that all candidate information be entered before the combined general registrar/electoral board candidate certification is provided to the Department of Elections.

### **10.5.1 Candidate Withdrawal**

Any candidate who decides that he/she no longer wants to be a candidate must withdraw *in writing* (either letter, faxed copy of the letter or email is acceptable). The withdrawal must include the candidate's name, the candidate's signature, the office the candidate was seeking and the election date and must specifically state that he/she is withdrawing as a candidate. It must be addressed to the appropriate authority. Newspaper articles or press conferences do *not* constitute an official notice of withdrawal.

A political party nominee sends his/her withdrawal notice to the appropriate political party chair. Either the candidate or the party chair should fax/email a copy of the withdrawal notice to both the Department of Elections and the secretary of the electoral board at the office of the general registrar. Subsequent procedures for withdrawal of a primary candidate are delineated in §§ [24.2-536](#), [24.2-537](#), and [24.2-538](#); while procedures applicable to the withdrawal of a general or special election political party nominee are in §§ [24.2-539](#) and [24.2-540](#).

An independent candidate sends his/her withdrawal notice to the secretary of the electoral board. Notices addressed to the secretary that are sent to the general registrar are also acceptable.

If the withdrawal notice is received before ballot preparation begins, change the candidate's status to "Withdrawn" on the "Candidate Maintain" page in VERIS. Whenever a candidate's name remains on the ballot because s/he withdrew after the ballots were printed, the status field must continue to display "Qualified." This will ensure that the candidate's name remains on the "Election Results > By Office/By Precinct" screen thus allowing data entry of the votes cast for the withdrawn candidate.

If the general registrar or electoral board receives a notice of withdrawal from a candidate certified by the Department of Elections (e.g., General Assembly), the notice must

immediately be faxed or emailed to the Election Services Division at (804) 371-0194, [info@elections.virginia.gov](mailto:info@elections.virginia.gov). Include a comment indicating who received the notice and when.

Department of Elections determines, based on the time available before the election and the status of the ballots for the election, whether or not ballots containing the name of the withdrawn candidate must be reprinted. § [24.2-612.1](#).

If Department of Elections decides that the name will remain on the ballot, it will provide to the secretary of the electoral board and the general registrar a notice explaining that the candidate's withdrawal occurred after the ballots were printed and, therefore, the name remains on the ballot. The notices will be provided in two sizes. The absentee notice will be of a size that fits inside the envelope transmitting mailed absentee ballots. The voting booth notice is 8-1/2" x 11" and must be posted within the confines of the voting booths used for in-person absentee voting and Election Day voting.

- ❖ If the withdrawn or deceased candidate receives the most votes, s/he must be certified by the electoral board as the person elected to the office (§ [24.2-673](#)).

## **10.5.2 Write-In Candidacy**

Whenever an individual requests procedures for becoming a write-in candidate for a local office, the general registrar must provide the following information either verbally or in writing (by letter or by email):

- That write-ins are permitted for any office elected in a general or special election;
- Article II, Section 5 of the [Constitution of the Commonwealth](#) requires an elected official to be able to vote for the office he is seeking. Therefore, the write in candidate must be a registered voter of the jurisdiction or, if applicable, of the election district on or before the last day to register to vote before the November/May election;
- That §§ [24.2-644](#) and [24.2-648](#) require the write-in vote to be handwritten or hand-printed by the voter unless the voting system in use provides a means to enter the name electronically (include write-in instructions applicable to voting system in use);
- That the individual may inform the media of his/her write-in candidacy and about write-in procedures in any way he/she chooses;
- That the write-in candidate should use some form of his/her full legal name to eliminate any doubt that the write-in vote is for him/her and to always refer to him/herself in that manner in any campaign statement, written or oral;

- That the write-in candidate should communicate intent to run to the secretary of the electoral board;
- That any voter requiring instruction on the write-in procedures, may request instruction from the officers of election at the polls;
- That a person who is actively conducting a write-in campaign for an office covered by the Campaign Finance Disclosure Act (“CFDA”) is required to report activity;
- That CFDA reports filed in paper format are filed only with the local electoral board;
- Postmarks on filed paper CFDA reports are not considered timely filed; and
- Electronic CFDA filers only need to file with the Department of Elections.

Refer the individual to the Department of Elections’ [website](#) for deadlines, forms and detailed information relating to campaign telephone calls, advertising and identification of campaign ads and materials.

Examples of write in instructions for DRE voting equipment and optical scan ballots are available in SharePoint>GR and EB>Shared Documents>Examples of Write in Instructions for DRE and Optical Scan Ballots. Examples of the system(s) used in the jurisdiction should be sent to the interested write in candidate. If an example is not available from SharePoint, contact your voting equipment vendor and ask for an example. After a file is provided, send the file to Department of Elections so that it may be posted to SharePoint.

## 10.6 Exhibits

### 10.6.1 Exhibit A: Review of Candidate Petition Pages Checklist (Front Page)

#### Review of Candidate Petition Pages

Candidate

Petition Page Number

**STEP 1: Determination of material omissions**

**Declaration of Candidacy Form**

Item	Action
N/A Candidate is a qualified, registered voter	→ If not received by deadline, deny all petitions. GR/EB Handbook § 10.2.5.2.
N/A Declaration is notarized, or witnessed by two qualified, registered voters	→ If not received by deadline, deny all petitions. GR/EB Handbook § 10.2.5.2.

**Petition Page**

Item	Action
Petition is on a double-sided, two-page document.	→ If not, deny the petition page and all signatures thereon. 1 VAC 20-50-20.
The petition must have the name, or some variation of the name, AND address of the candidate on the front of the form.	→ If not, deny the petition page and all signatures thereon. 1 VAC 20-50-20.
The petition fails to identify the office sought on the front of the form;	→ If not, deny the petition page and all signatures thereon. 1 VAC 20-50-20.
If applicable, the petition fails to identify the applicable election district in which the candidate is running for office;	→ If not, deny the petition page and all signatures thereon. 1 VAC 20-50-20.

**Affidavit & Circulator**

Item	Action
Affidavit is notarized.	→ If not notarized, all signatures on petition page are denied. GR/EB Handbook § 10.2.5.4; 1 VAC 20-50-20.
Affidavit on each petition is signed by the circulator in the presence of a notary, AND the circulator has provided his current address.	→ If not, signatures on petition page are denied. GR/EB Handbook § 10.2.5.4; 1 VAC 20-50-20.
Circulator has signed the petition affidavit, thus, affirming that s/he is a legal resident of the United States of America, not a minor and not a felon without voting rights restoration.	→ If not, deny the petition page and all signatures thereon. 1 VAC 20-50-20.
The notary has not affixed a photographically reproducible seal.	→ If not, deny the petition page and all signatures thereon. 1 VAC 20-50-20.
The notary has not included his registration number and commission expiration date.	→ If not, deny the petition page and all signatures thereon. 1 VAC 20-50-20.
Affidavit is complete.	→ If the affidavit is complete and notarized, continue to follow the procedures set. If the affidavit is not signed by the circulator but it has been notarized, then do NOT process the petition as set forth in GR/EB Handbook § 10.2.5.3. See the GR/EB Manual for further guidance. See also 1 VAC 20-50-20.
The date the affidavit was notarized is before any of the dates provided by the petition signers.	→ Deny the petition page and all signatures thereon.

**STEP 2: Process signatures on petition page**

**Verification of Signatures**

Item	Action
Process signatures on acceptable petition pages.	→ Process according to GR/EB Handbook § 10.2.5.7. Only signatures with a code of "R" count toward required number of signatures.
A person signs and provides an address that matches an address of an active or inactive voter in the VERIS, or a person signs and provides an address that is within the same precinct where an active or inactive voter is currently registered in VERIS and the signer can be reasonably identified as the same registered voter (e.g. provided last four or full social security number).	→ Mark "R" on the petition page. 1VAC 20-50-20.
A person signs, provides an address and provides their last four or full social security number but the address provided is outside of the voter's current precinct in VERIS.	→ Mark "RNO" on the petition page. 1VAC 20-50-20.
Circulator has signed, as a petitioner, on the petition that he circulated.	→ If so, deny only the signature of the circulator. 1 VAC 20-50-20.
A person signs with a different last name but the address and social security number provided match a voter's record in VERIS.	→ Accept as a registered voter. If social security number is not provided, mark the signature as "CI".
A person signs using an initial or initials and last name with address match to a voter's record in VERIS. Accept as long as initial(s) match record (e.g. A. Cobb or A.J. Cobb = Arthur J. Cobb).	→ Mark "R" on the petition page.
A person signs using their middle name and last name with address match to a voter's record in VERIS (e.g. Jane Thomas = Elizabeth Jane Thomas).	→ Mark "R" on the petition page.

## 10.6.1 Exhibit A: Review of Candidate Petition Pages Checklist (Back Page)

	A person enters quotation marks or "Same as above" for his/her address.	➔ If the address directly above the person's signature line is a match to a voter's address in VERIS, mark "R" on the petition page. If the address directly above the person's signature line is not a match to the voter's address in VERIS, mark appropriate abbreviation on the petition page.
	A person signs their name on the "Print" line and prints their name on the "Sign" line. Name and address provided on the petition match a voter's record in VERIS.	➔ Mark "R" on the petition page. 1VAC 20-50-20.
	A petition signer fails to provide the date but a period of time that qualifies can affirmatively be established with previous and subsequent dates provided by other signers upon the page.	➔ Do not check signatures when the date signed cannot be established to be within the permitted time period for the petition. Review signatures that appear to have been signed within the permitted time period for the petition.
N/A	Refer to any other guidance provided by SBE to determine validity of petition signatures	N/A
<b>STEP 3: Determination of nonmaterial omissions</b>		
<b>Petition Page</b>		
	<b>Item</b>	<b>Action</b>
	Older version of the petition page is used.	➔ This is immaterial provided that the information presented complies with current laws, regulations, and guidelines. 1 VAC 20-50-20.
	The "election information" including (i) county, city, or town in which the election will be held; (ii) election type; and (iii) date of election are omitted.	➔ This is immaterial. 1 VAC 20-50-20.
	The name of the candidate and office sought are omitted from the back page of the petition.	➔ This is immaterial. 1 VAC 20-50-20. Ensure the candidate's name and office sought are on the front of the petition.
<b>Affidavit &amp; Circulator</b>		
	<b>Item</b>	<b>Action</b>
	The circulator has not provided his driver's license number and/or state of issuance for the driver's license in the affidavit.	➔ This is immaterial.
	The circulator has not indicated the county, city, or town of his voter registration or voter eligibility in the affidavit.	➔ This is immaterial. 1 VAC 20-50-20.
	The circulator has not provided the last four digits of his social security number in the affidavit.	➔ This is immaterial. 1 VAC 20-50-20.
	The date the affidavit was notarized is before some of the dates provided by the petition signers but after some dates provided by petition signer.	➔ Do not check signatures when the petition signer's date signed is after the date of notarization. Check signatures of petition signers with a date signed before the date of notarization.



## 10.6.2 Exhibit B: Review of Referendum Petition Pages Checklist (Front Page)

### Review of Referendum Petition Pages

Referendum	Petition Page Number
<b>STEP 1: Determination of material omissions</b>	
<b>Petition Page</b>	
<b>Item</b>	<b>Action</b>
Petition is on a double-sided, two-paged document.	➔ If not, deny the petition page and all signatures thereon. 1 VAC 20-60-20.
The petition must have the "question" or "referendum issue" as set forth by law on the front of the petition.	➔ If not, deny the petition page and all signatures thereon. 1 VAC 20-60-20.
<b>Front Affidavit &amp; Circulator</b>	
<b>Item</b>	<b>Action</b>
Affidavit is signed by the circulator in the presence of a notary, AND the circulator has provided his current address.	➔ If not, signatures on petition page are denied. GR/EB Handbook § 10.2.5.5; 1 VAC 20-60-20.
Circulator has signed the petition affidavit, thus, affirming that s/he is a legal resident of the United States of America, not a minor and not a felony without voting rights restoration.	➔ If not, deny the petition page and all signatures thereon. 1 VAC 20-60-20.
<b>Back Affidavit &amp; Circulator</b>	
<b>Item</b>	<b>Action</b>
Affidavit is signed by the circulator in the presence of a notary, AND the circulator has provided his current address.	➔ If not, deny the petition page and all signatures thereon. 1 VAC 20-60-20.
Circulator has signed the petition affidavit, thus, affirming that s/he is a legal resident of the United States of America, not a minor and not a felony without voting rights restoration.	➔ If not, deny the petition page and all signatures thereon. 1 VAC 20-60-20.
The notary has not affixed a photographically reproducible seal.	➔ If not, deny the petition page and all signatures thereon. 1 VAC 20-60-20.
The notary has not included his registration number and commission expiration date.	➔ If not, deny the petition page and all signatures thereon. 1 VAC 20-60-20.
Affidavit is complete.	➔ If the affidavit is complete and notarized, continue to follow the procedures set. If the affidavit is not signed by the circulator but it has been notarized, then do NOT process the petition as set forth in GR/EB Handbook § 10.2.5.5. See the GR/EB Manual for further guidance. See also 1 VAC 20-60-20.
The date the affidavit was notarized is before any of the dates provided by the petition signers.	➔ Deny the petition page and all signatures thereon.
<b>STEP 2: Process signatures on petition page</b>	
<b>Verification of Signatures</b>	
<b>Item</b>	<b>Action</b>
Process signatures on acceptable petition pages.	➔ Process according to GR/EB Handbook § 10.2.5.7. Only signatures with a code of "R" count toward required number of signatures.
A person signs and provides an address that matches an address of an active or inactive voter in the VERIS, or a person signs and provides an address that is within the same precinct where an active or inactive voter is currently registered in VERIS and the signer can be reasonably identified as the same registered voter (e.g. provided last four or full social security number).	➔ Mark "R" on the petition page. 1VAC 20-60-20.
A person signs, provides an address and provides their last four or full social security number but the address provided is outside of the voter's current precinct in VERIS.	➔ Mark "RNO" on the petition page. 1VAC 20-60-20.
Circulator has signed, as a petitioner, on the petition that he circulated.	➔ If so, deny <u>only</u> the signature of the circulator. 1 VAC 20-60-20.
A person signs with a different last name but the address and social security number provided match a voter's record in VERIS.	➔ Accept as a registered voter. If social security number is not provided, mark the signature as "CI".
A person signs using an initial or initials and last name with address match to a voter's record in VERIS. Accept as long as initial(s) match record (e.g. A. Cobb or A.J. Cobb = Arthur J. Cobb).	➔ Mark "R" on the petition page.
A person signs using their middle name and last name with address match to a voter's record in VERIS (e.g. Jane Thomas = Elizabeth Jane Thomas).	➔ Mark "R" on the petition page.
A person enters quotation marks or "Same as above" for their address.	➔ If the address directly above the person's signature line is a match to a voter's address in VERIS, mark "R" on the petition page. If the address directly above the person's signature line is not a match to the voter's address in VERIS, mark appropriate abbreviation on the petition page.
A person signs their name on the "Print" line and prints their name on the "Sign" line. Name and address provided on the petition match a voter's record in VERIS.	➔ Mark "R" on the petition page. 1VAC 20-60-20.

## 10.6.2 Exhibit B: Review of Referendum Petition Pages Checklist (Back Page)

	A petition signer fails to provide the date but a period of time that qualifies can affirmatively be established with previous and subsequent dates provided by other signers upon the page.	→	Do not check signatures when the date signed cannot be established to be within the permitted time period for the petition. Review signatures that appear to have been signed within the permitted time period for the petition.
N/A	Refer to any other guidance provided by SBE to determine validity of petition signatures		N/A
<b>STEP 3: Determination of nonmaterial omissions</b>			
<b>Petition Page</b>			
	<i>Item</i>		<i>Action</i>
	Older version of the petition page is used.	→	This is immaterial provided that the information presented complies with current laws, regulations, and guidelines. 1 VAC 20-60-20.
	The "election information" including (i) county, city, or town in which the election will be held; (ii) election type; and (iii) date of election are omitted.	→	This is immaterial. 1 VAC 20-60-20.
<b>Affidavit &amp; Circulator</b>			
	<i>Item</i>		<i>Action</i>
	The circulator has not provided his/her driver's license number and/or state of issuance for the driver's license in the affidavit.	→	This is immaterial.
	The circulator has not indicated the county, city, or town of his voter registration or voter eligibility in the affidavit.	→	This is immaterial. 1 VAC 20-60-20.
	The circulator has not provided the last four digits of his social security number in the affidavit.	→	This is immaterial. 1 VAC 20-60-20.
	The date the affidavit was notarized is before some of the dates provided by the petition signers but after some dates provided by petition signer.	→	Do not check signatures when the petition signer's date signed is after the date of notarization. Check signatures of petition signers with a date signed before the date of notarization.